

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

NCS MULTISTAGE INC.  
NCS MULTISTAGE LLC,

Plaintiffs,

vs.

TCO AS,

Defendant.

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CIVIL ACTION NO. 6:20-cv-00622-ADA

**PLAINTIFFS' SUR-REPLY IN OPPOSITION TO DEFENDANT TCO AS'S OPPOSED  
MOTION TO TRANSFER FOR *FORUM NON CONVENIENS***

In its Reply in Support of Its Opposed Motion to Transfer for *Forum Non Conveniens* (Dkt. 76), Defendant TCO AS ("TCO") claims that Plaintiffs NCS Multistage Inc. and NCS Multistage, LLC (collectively, "NCS"), have provided "no evidence, outside of its conclusory statement" that John T. Harris and Travis Harris are the same Lindale, Texas, resident. NCS disagrees, and it is TCO's burden (not NCS's) to establish that Mr. Harris is within the subpoena power of the SDTX. Nevertheless, NCS hereby provides further evidence that inventor Travis Harris resides in Lindale, Texas.

First, TCO's own exhibit (Dkt. 71-4), attached to its Motion, identifies Travis Harris as "John Travis Harris". *See* Ex. A (listing Travis Harris's LinkedIn profile as "johntravisharris"). Second, the warranty deed to the Lindale, Texas residence lists the owner as "John Travis Harris." *See* Ex. B. "Travis Harris," "John Travis Harris," and "John T. Harris" clearly all refer to the same individual, and that individual lives in Lindale, Texas, which is in the EDTX. Thus, Mr. Harris is not within the subpoena power of the SDTX.

It is TCO's burden to establish that Travis Harris is within the subpoena power of the SDTX, and all that TCO has provided is a LinkedIn page identifying that Mr. Harris works for a

Houston-based company. That does not prove he physically works in Houston, while the evidence NCS has provided shows Mr. Harris resides in Lindale, Texas, which is in the EDTX.

For all the reasons set forth in its Opposition to Defendant TCO AS's Opposed Motion to Transfer for *Forum Non Conveniens* and above, NCS requests that the Court deny TCO's Motion to Transfer.

Dated: May 25, 2021

Respectfully submitted,

BLANK ROME LLP

/s/ Domingo M. LLagostera

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**ATTORNEYS FOR PLAINTIFFS**

**NCS MULTISTAGE INC. AND**

**NCS MULTISTAGE, LLC**

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record were electronically served with a copy of the foregoing on May 25, 2021, via the Court's CM/ECF system.

/s/ Domingo M. LLagostera

Domingo M. LLagostera